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FILED
STATE OF ALASKA
APPELLATE COURTS

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CLERK APPELLATE COURT

December 23, 2021

Meredith Montgomery
Clerk of Appellate Courts
303 K Street
Anchorage, Alaska 99501-2084

FE Cu 12-2321 ga

Re: Notice of supplemental authority for Foy v. State, A-13019

Dear Madam Clerk:

Pursuant to Alaska Rule of Appellate Procedure 212(c)(12), Matthew Ryan Foy, through counsel, would like to advise the court of recently issued authority that is pertinent to his above-captioned case currently pending before the Alaska Court of Appeals.

The new case is *Nicori v. State*, Case No. A-13375, Mem. Op. No. 6985 (unpublished). It was issued by the Alaska Court of Appeals on December 22, 2021. Pages 4-11 of *Nicori*, regarding the motion to dismiss the indictment based on prosecutorial vindictiveness, pertain to Argument I of the Brief of Appellant, Argument I of the Brief of Appellee, and Argument I of the Reply Brief of Appellant.

Very truly yours,

/s/ Gavin Kentch

cc: Elizabeth T. Burke